

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOSE A. STULTZ-SHIRLEY, :
Petitioner :
v. :
MARY SABOL, Warden, :

CIVIL ACTION NO. 3:16-1744
(Judge Mannion)

Respondent :

ORDER

As set forth in the memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

1. The petition for writ of habeas corpus, (Doc. [1](#)), is **GRANTED IN PART**.
2. Petitioner, Jose A. Stultz-Shirley, shall be provided an individualized bond hearing in front of an Immigration Judge within thirty (30) days of this order.
3. At the abovementioned bond hearing, the government bears the burden of demonstrating that detention is still necessary, the petitioner is a flight risk, and that his release will pose a danger to the community.
4. Petitioner's motion for preliminary injunction, seeking the same relief sought in his petition for writ of habeas corpus, (Doc. [5](#)) is **DISMISSED** as moot.
5. The Clerk of Court is directed to **CLOSE** the case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: November 7, 2016

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